

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Michael P. WHITMAN
 Serial No. : 10/785,672
 Filed : February 23, 2004
 For : SURGICAL CUTTING AND STAPLING DEVICE
 Examiner : Gloria R. Weeks
 Art Unit : 3721
 Confirmation No. : 2683

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on June 2, 2009.

Signature: /Loretta E. Charles/
 Loretta E. Charles

TRANSMITTAL

S I R:

In response to the Office Action of December 2, 2008, transmitted herewith is an Amendment for filing in the above-identified application.

Applicant hereby requests a three-month extension of time for responding to the Office Action of December 2, 2008. The extended period for response expires on June 2, 2009.

The **\$555.00** (small entity) extension of time fee is being paid by credit card.

Applicant believes that no additional fees are due. However, if any additional fees are due, the Director is authorized to charge any such fees that may be required or credit any overpayment to Kenyon & Kenyon LLP Deposit Account No. **11-0600**.

Respectfully submitted,

Dated: June 2, 2009

By: /Clifford A. Ulrich/
 Clifford A. Ulrich
 Reg. No. 42,194

Kenyon & Kenyon LLP
 One Broadway
 New York, New York 10004
 (212) 425-7200

Customer No. 26646